

## PATENT COOPERATION TREATY

PCT

NOTIFICATION CONCERNING  
SUBMISSION OF PRIORITY DOCUMENTS

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

BASF AKTIENGESELLSCHAFT  
D-67056 Ludwigshafen  
ALLEMAGNE

Date of mailing (day/month/year)

24 March 1998 (24.03.98)

Applicant's or agent's file reference

0050/047679

## IMPORTANT NOTIFICATION

International application No.

PCT/EP98/00069

International filing date (day/month/year)

08 January 1998 (08.01.98)

Priority date (day/month/year)

17 January 1997 (17.01.97)

Applicant

BASF AKTIENGESELLSCHAFT et al

The applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to the following application(s):

Priority application No.:

197 01 446.1

Priority date:

17 Jan 1997 (17.01.97)

Priority country:

DE

Date of receipt of priority document:

20 Mar 1998 (20.03.98)

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Céline Faust

Telephone No.: (41-22) 338.83.38



## Regulations under the PCT

### Rule 17

#### The Priority Document

##### 17.1 *Obligation to Submit Copy of Earlier National or International Application*

- (a) Where the priority of an earlier national or international application is claimed under Article 8, a copy of that earlier application, certified by the authority with which it was filed ("the priority document"), shall, unless that priority document has already been filed with the receiving Office together with the international application in which the priority claim is made, and subject to paragraphs (b) and (b-bis), be submitted by the applicant to the International Bureau or to the receiving Office not later than 16 months after the priority date, provided that any copy of the said earlier application which is received by the International Bureau after the expiration of that time limit shall be considered to have been received by that Bureau on the last day of that time limit if it reaches it before the date of international publication of the international application.
  - (b) Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request shall be made not later than 16 months after the priority date and may be subjected by the receiving Office to the payment of a fee.
  - (b-bis) Where the priority document is, in accordance with the Administrative Instructions, available to the receiving Office or to the International Bureau from a digital library, the applicant may, as the case may be, instead of submitting the priority document:
    - (i) request the receiving Office to obtain the priority document from such digital library and transmit it to the International Bureau; or
    - (ii) request the International Bureau to obtain the priority document from such digital library.
- Such request shall be made not later than 16 months after the priority date and may be subjected by the receiving Office or the International Bureau to the payment of a fee.
- (c) If the requirements of none of the three preceding paragraphs are complied with, any designated Office may, subject to paragraph (d), disregard the priority claim, provided that no designated Office shall disregard the priority claim before giving the applicant an opportunity to furnish the priority document within a time limit which shall be reasonable under the circumstances.
  - (d) No designated Office shall disregard the priority claim under paragraph (c) if the earlier application referred to in paragraph (a) was filed with it in its capacity as national Office or if the priority document is, in accordance with the Administrative Instructions, available to it from a digital library.

##### 17.2 *Availability of Copies*

- (a) Where the applicant has complied with Rule 17.1(a), (b) or (b-bis) the International Bureau shall, at the specific request of the designated Office, promptly but not prior to the international publication of the international application, furnish a copy of the priority document to that Office. No such Office shall ask the applicant himself to furnish it with a copy. The applicant shall not be required to furnish a translation to the designated Office before the expiration of the applicable time limit under Article 22. Where the applicant makes an express request to the designated Office under Article 23(2) prior to the international publication of the international application, the International Bureau shall, at the specific request of the designated Office, furnish a copy of the priority document to that Office promptly after receiving it.
- (b) The International Bureau shall not make copies of the priority document available to the public prior to the international publication of the international application.
- (c) Where the international application has been published under Article 21, the International Bureau shall furnish a copy of the priority document to any person upon request and subject to reimbursement of the cost unless, prior to that publication:
  - (i) the international application was withdrawn,
  - (ii) the relevant priority claim was withdrawn or considered, under Rule 26bis.2(b), not to have been made.